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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,289	01/02/2001	Robert C. Goodman JR.	0062207	9853
7590 12/14/2004				
KAUFMAN & CANOLES ATTN: PETER A. SHADDOCK II ONE COMMERCIAL PLACE P.O. BOX 3037 NORFOLK, VA 23514		EXAMINER GOINS, DAVETTA WOODS		
		ART UNIT		PAPER NUMBER
		2632		
DATE MAILED: 12/14/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/753,289

Applicant(s)

GOODMAN, ROBERT C.

Examiner

Davetta W. Goins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/20/01</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 12-15, 17-22, 28-33, and 37-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sansone (US Pat. 6,454,174 B1) in view of Loftus (US Pat. 6,157,314).

In reference to claims 1, 3, 17, 19, 37, Sansone discloses a) the claimed prepaid ticket having indicia, wherein the prepaid ticket was purchased prior to reaching an entrance, which is met by an electronic ticket 11 including a bar code 20 (indicia) and bar code 63 (indicia) placed on a ticket that has been purchased and printed by a customer from an input device 50 (col. 2, lines 28-67; col. 3, lines 59-67; col. 4, lines 1-11), b) the claimed controllable entry indicator located proximate to be prepaid entrance, which is met by a valid ticket message is displayed on reader 71 located at the entrance of the specific venue (col. 7, lines 60-67; col. 8, lines 1-13), c) the claimed identification means for identifying the ticket indicia on the prepaid ticket, which is met by the venue reader 71, which may be a bar code or optical reader used to read and validate the information on the ticket 11; a server 53 also communicates with financial server 54 and data center 51 to validate payment information (col. 4, lines 12-33), d) the claimed database wherein at least some prepaid ticket indicia data is maintained, which is met by data center 51 including a data base 65 (col. 3, lines 59-67), and e) the claimed processor, wherein the processor determines

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whether the ticket indicia of a given ticket is included in the prepaid ticket indicia data, and controls the controllable entry indicator, which is met by a computer 50 where buyer provides the requested payment information; block 107 determines whether or not the buyer has paid for the ticket(s) (col. 5, lines 1-15). Sansone does not specifically disclose the claimed prepaid parking ticket for a parking entrance. However, he does disclose a method for reading electronic tickets that have been purchased ahead of time and determining whether the ticket(s) have been purchased at a specific venue and for allowing or denying admission to that venue which can be anyplace (col. 2, lines 28-67). Loftus discloses a parking facility access control including an access gate 28 located at either the entrance or exit of a parking facility 12, the gate 28 includes an optical scanner capable of reading indicia external to or visible from the exterior of the merchandise purchased from the facility. After the scanner 28 scans the merchandise 2, the computer 22 compares the scanned item information with what's stored in the record inventory to determine whether the merchandise has been purchased before allowing access to the parking facility and gate 28 will open (col. 3, lines 54-67; col. 4, lines 1-67). Since both Sansone and Loftus disclose methods for allowing access to a particular venue after determining that the ticket or merchandise has been pre-purchased, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of using the ticket for access into a parking facility, as disclosed by Loftus, with the system of Sansone, to allow access and show indication to the purchaser that their access to the parking facility is allowed.

In reference to claims 2, 18, 31, 40, although Sansone does not specifically disclose the claimed processor amends the prepaid ticket indicia data to show that the ticket indicia of the prepaid

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parking ticket has been used, he does disclose a program block 205 where a valid ticket message is displayed on reader 71 and the holder of ticket 11 is allowed to enter the event that is indicated on ticket 11 (col. 8, lines 1-13). Since Sansone discloses a program that validates whether the ticket has been purchased, it would have been obvious to one of ordinary skill in the art at the time of the invention to update the processor that the purchased ticket has been used to ensure that the ticket can't be reused.

In reference to claims 4, 20, although Sansone does not specifically disclose the claimed entry indicator comprising at least one light for indicating that entry into a parking area is allowed, he does disclose a valid ticket message is displayed on reader 71 located at the entrance of the specific venue (col. 7, lines 60-67; col. 8, lines 1-13). Specifically, he discloses a method for reading electronic tickets that have been purchased ahead of time and determining whether the ticket(s) have been purchased at a specific venue and for allowing or denying admission to that venue which can be anyplace (col. 2, lines 28-67). Loftus discloses a parking facility access control including an access gate 28 located at either the entrance or exit of a parking facility 12, the gate 28 includes an optical scanner capable of reading indicia external to or visible from the exterior of the merchandise purchased from the facility. After the scanner 28 scans the merchandise 2, the computer 22 compares the scanned item information with what's stored in the record inventory to determine whether the merchandise has been purchased before allowing access to the parking facility and gate 28 will open (col. 3, lines 54-67; col. 4, lines 1-67). Since both Sansone and Loftus disclose methods for allowing access to a particular venue after determining that the ticket or merchandise has been pre-purchased, it would have been obvious

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to one of ordinary skill in the art at the time of the invention to incorporate the teaching of using the ticket for access into a parking facility, as disclosed by Loftus, as well as use any type of indication such as a light, with the system of Sansone, to ensure that the driver entering the parking facility is clearly aware whether the ticket is accepted.

In reference to claims 5, 15, 21, 33, 39, Sansone discloses the claimed ticket indicia is a bar code element, which is met by an electronic ticket 11 including a bar code 20 (indicia) and bar code 63 (indicia) placed on a ticket that has been purchased and printed by a customer from an input device 50 (col. 2, lines 28-67; col. 3, lines 59-67; col. 4, lines 1-11),.

In reference to claims 6, 22, Sansone discloses the claimed identification means is a bar code reader, which is met by reader 71 for reading the bar codes 20 and 63 (col. 7, lines 4-21).

In reference to claims 14, 30, Sansone discloses a) the claimed database including at least some data relating to valid ticket indicia that can be included on a prepaid ticket, which is met by database 65 (col. 3, lines 59-67), b) the claimed means for receiving a request for valid ticket indicia that can be included on a valid prepaid ticket, which is met by input device 50 for allowing a purchaser to be issued a ticket (col. 3, lines 5-67), c) the claimed means for providing valid ticket indicia to a valid ticket indicia requester, which is met by printer and printing data base 65 (col. 3, lines 59-67), and d) means for receiving a request for validation of a ticket indicia included on a presented parking ticket, which is met by reader 71, at a venue, receiving ticket information from the pre-printed ticket by using a bar code or optical reader (col. 4, lines

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12-33), and e) the claimed means for responding to a request for validation of a ticket indicia, wherein the response indicates whether the ticket indicia included on a presented parking ticket is a valid ticket indicia, which is met by a valid ticket message is displayed on reader 71 located at the entrance of the specific venue (col. 7, lines 60-67; col. 8, lines 1-13). Sansone does not specifically disclose the claimed prepaid parking ticket for a parking entrance. However, he does disclose a method for reading electronic tickets that have been purchased ahead of time and determining whether the ticket(s) have been purchased at a specific venue and for allowing or denying admission to that venue which can be anyplace (col. 2, lines 28-67). Loftus discloses a parking facility access control including an access gate 28 located at either the entrance or exit of a parking facility 12, the gate 28 includes an optical scanner capable of reading indicia external to or visible from the exterior of the merchandise purchased from the facility. After the scanner 28 scans the merchandise 2, the computer 22 compares the scanned item information with what's stored in the record inventory to determine whether the merchandise has been purchased before allowing access to the parking facility and gate 28 will open (col. 3, lines 54-67; col. 4, lines 1-67). Since both Sansone and Loftus disclose methods for allowing access to a particular venue after determining that the ticket or merchandise has been pre-purchased, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of using the ticket for access into a parking facility, as disclosed by Loftus, with the system of Sansone, to allow access and show indication to the purchaser that their access to the parking facility is allowed.

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In reference to claim 32, Sansone discloses the claimed method wherein the user is provided with the opportunity to purchase prepaid parking for the at least one particular event at a time when the user purchases a ticket to the at least one particular event, which is met by the input device containing a program that will allow the user to purchase one or more tickets after the first purchase has been made (col. 4, lines 39-66).

In reference to claim 38, although Sansone does not disclose the claimed prepaid ticket is a multi-part ticket wherein the admittance portion is separably attached to the prepaid portion, he does disclose a ticket 11, printed on paper by a laser or ink jet printer, including different portions including a serial number 12, time 13 of the event, date of the event 14, number of people or admittance 15; the ticket holder(s) seat number 16; the name of the place of the event 17; and the bar code 20 and bar code 63 that can be read by reader 71 at the event for admittance (col. 2, lines 28-54; col. 3, lines 12-25). Since Sansone discloses a ticket that is pre-purchased and printed (on paper) with indicia as well as a bar code that can be read by reader 71 at the event for determining admission, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a multi-part ticket that includes a separably attached portion so that those at the gate may prevent purchasers from re-using the ticket.

In reference to claims 12, 13, 28, 29, Sansone discloses the claimed identification means located proximate to the controllable entry indicator, which is met by reader 71 including the bar code or optical reader is located at the place of the event (col. 2, lines 28-54; col. 4, lines 12-33; col. 8, lines 1-12).

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3. Claims 7-11, 16, 23-27, 34-36, 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sansone in view of Loftus as applied to claims 1, 14, 17, 30, and 37 above, and further in view of Worger et al. (US Pat. 5,664,113).

In reference to claims 7-11, 16, 23-27, 34-36, 41-44, although neither Sansone nor Loftus specifically disclose in the claimed ticket indicia included in an inductively readable memory integrated into the prepaid parking ticket, or means for inductively identifying the ticket indicia, where the parking ticket is adapted to be attached exteriorly to a vehicle, the ticket identified while the user's vehicle is in movement, or the ticket comprising sticker. However both Sansone and Loftus disclose bar code readers located at the entrance of a gate used to scan a pre-purchased ticket (Sansone) for gaining access to an invent (as stated above). Worger discloses a parking facility system including a gate control, a display, interrogator, and detector (col. 4, lines 45-64). A tag 56 is used to gain access to a parking lot, the detector 48 may use a switch or an optical, magnetic or other sensing device to detect the presence of working asset 26 (vehicle); the tag 56 may also be bar coded or otherwise optically or magnetically scanable tags to provide a computer 32 with the identification data stored within the tag (col. 5, lines 1-12). The tag 56 is mounted on the vehicle 26 such that the stored information from tag 56 can be detected by detector 48 as the vehicle approaches the gate 44 (col. 4, lines 46-67; col. 5, lines 1-29). Since Sansone, Loftus, and Worger all disclose a ticket used to access a particular area, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of using a ticket with indicia placed on a vehicle that is moving including readable

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memory, as disclosed by Worger, with the systems of Sansone and Loftus, to ensure that the detector located at the gate is capable of receiving information stored within the ticket as the vehicle approaches and can compare data stored at the gate to determine whether the vehicle should be able to gain access to the parking facility.

4. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure as follows. Kara (US Pat. 6,505,179 B1), which discloses a ticket identification system.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957. The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAVETTA W. GOINS
PRIMARY EXAMINER



D.W.G.

December 7, 2004

Davetta W. Goins
Primary Examiner
Art Unit 2632